

ANNE SMITH

Emma Eugenia 1846

By Helen Ménard

Introduction

Anne Smith was born Rose A Montague in 1823 at the Cape of Good Hope,¹ now a province in the Republic of South Africa. She was one of eight children born to Bernard and Rosanna Montague, six of whom were born in Manchester, England. Anne operated under a variety of aliases during her lifetime, most of which had obvious derivations, but, apart from the possible desire for commonality and anonymity, there's no indication where the name Anne Smith originated.

Anne's first recorded encounter with law, as Rosannah Montague, was when she was 17 and six years later, after several convictions for theft of clothing, found herself on the high seas headed for Van Diemen's Land (VDL) under a 7 year transportation sentence.² Over the next six years in the colony Anne only accrued a couple of minor conduct offences³ and, not long after her sentence expired in 1852, made her way back to England. Shortly thereafter in November 1854, Anne and her team of aliases picked up where they had left off and the resumption of her criminal activities found her in prison for the best part of the next twelve years.⁴ By the time

Note: Many FCRC researchers have generously provided an enormous amount of detailed research in relation to Anne and her family that has made this story possible. Thank you. Much of the material in this story can be found on the FCRC database / research notes and has been collated from a variety of sources including ancestry.co.uk; findmypast.co.uk; familysearch.org; freebmd.org.uk; findagrave.com; various national census records and military records from England; birth, death and marriage records from church registers and state records in England and Ireland; prison records from National Archives, Kew. Where there are discrepancies between sources the most consistent or reliable information has been cited. For ease of reference individual citations have not always been provided but are available in the research notes. The author holds copied extracts of the originals of many of the military and prison records for those who want further information.

¹ FMP/GRO Regimental Birth Indices and Overseas Births and Baptisms / 55th foot. Volume 1088 Page 24.

² LIB TAS: Names Index: CON 41/1/9 DI 134

³ Ibid

⁴ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

she left Parkhurst Prison in 1866 – possibly for the last time - she was 43 years old and, in amongst her litany of personas, disappeared into the mist.

The Cape of Good Hope

When Great Britain went to war with France in 1793, both countries tried to capture the Cape in order to control the important sea trade route to the East. The British occupied the Cape in 1795 and, although they relinquished the colony to the Dutch in the Treaty of Amiens (1802), they reannexed it in 1806 after the start of the Napoleonic Wars with France. The Cape became a vital base for Britain prior to the opening of the Suez Canal in 1869 and, to protect its developing economy, Cape wines were given preferential access to the British market until the mid-1820s. Merino sheep were introduced and intensive sheep farming was initiated in order to supply wool to British textile mills.⁵

A large group of British settlers arrived in 1820 and, together with a high European birth rate and wasteful land usage, an acute land shortage developed. This was ultimately alleviated when the British acquired more land through massive military intervention against Africans on the eastern frontier. Until the 1840s the British vision of the colony did not include native African citizens so Africans lost their land and were expelled across the Great Fish River, the unilaterally proclaimed eastern border of the colony.⁶

This is where Anne (Rose) was born and spent the first two years of her life.

Anne's family

Anne's father *Bernard Montague* (1798-1865) was born in Glenalen, County Down, Ireland⁷ and it's not known when he made his way to England or why. On 6

⁵ <https://www.britannica.com/place/South-Africa/British-occupation-of-the-Cape>

⁶ Ibid

⁷ His Majesty's 55th Regiment of Foot, Discharge Papers, Bernard Montague, Confirmed by General's Office, 31 May 1825; there are no confirming birth records from Ireland. Many Irish records were lost when, two days into the *Irish Civil War* in 1922, a massive explosion destroyed the Public Records Office attached to Dublin's Four Courts and with it hundreds of years of documented history. See *The*

September 1816, aged 18 and a weaver, he enlisted with the British army and from 4 September 1817 to 20 April 1818 served in the Royal Artillery 98th Foot Regiment.⁸ On 21 April 1818 in Newport, Hampshire he joined the Royal Artillery 55th Foot Regiment and in 1822 was posted to the Cape of Good Hope where he served in the public units with a 'very good' conduct record until his medical discharge in May 1825.⁹

During this time at least two of his children Rose (Anne) and James were born and, presumably, his oldest son John, born in 1820 in Oldham, England, accompanied the family overseas. After returning from the Cape in 1825, Bernard and his family settled in Manchester, except for a short period of time in 1859 when it seems he returned to Newry, Northern Ireland.¹⁰

Bernard received a military 'out pension' until his death in Manchester in 1865. From 1692 until 1955, all army pensions were administered by and paid from the Royal Hospital Chelsea. Those who lived 'Out' in the UK or abroad and received their pension in cash from agents around the country were known as Out-Pensioners.¹¹ The Royal Hospital was founded by King Charles II in 1682 as a retreat for veterans rather than the payment of pensions. As the Royal Hospital was still under construction in 1689 a system for distribution of army pensions was introduced and was made available to all former soldiers who had been injured in service or who had served for more than 20 years. However, by the time the buildings were

Irish Times, Friday 13 August 2021: The census records for the whole of the 19th century going back to the first in 1821 were incinerated. Chancery records, detailing British rule in Ireland going back to the 14th century and grants of land by the crown, were also destroyed along with thousands of wills and title deeds. The records of various chief secretaries to Ireland and centuries of Church of Ireland parish registers vanished in the fire. The list of documents which were stored in the office's record treasury departments are contained in a single manuscript which is 300 pages long and dates back seven centuries.

⁸ His Majesty's 55th Regiment of Foot, Discharge Papers, Bernard Montague, Confirmed by General's Office, 31 May 1825;

⁹ Ibid; the reason for discharge (signed by Edward O'Reilly MD Surgeon) is illegible but given he received a pension from 1825 until his death and he had not served more than 20 years at the time of discharge, it is most likely that he was discharged for medical reasons – the only two reasons for receipt of a military pension. https://en.wikipedia.org/wiki/Chelsea_Pensioner

¹⁰ See above note military pension records; The National Archives; Kew, London, England; England and Wales Census 1841 and 1851

¹¹ <https://www.chelsea-pensioners.co.uk/what-chelsea-pensioner>

completed, there were far more pensioners than places available in the Royal Hospital.¹²

Although there are no confirming records in either England or Ireland, at some stage before 1820 Bernard married *Rosanna* who was also born in Ireland (around 1797) and listed her occupation as a cotton winder.¹³ They had a family of at least eight children: John (1820-), James (1822-), Rose A (1823-), Edward, Catherine (1826-1827), Elizabeth (1828-), Bernard (1829-?1877) and Sarah. After Bernard (Snr) died in 1865,¹⁴ the 1871 census recorded his wife Rosanna (Rosan) as a 'pauper inmate' at a workhouse hospital in Market Street, Manchester.¹⁵ Workhouses had a long and controversial history in England but, by the 1850s, they primarily housed the old, the infirm, the orphaned, unmarried mothers and the physically or mentally ill.¹⁶ When her husband died and his military pension ceased, presumably, Rosanna could no longer afford to pay private rental and, at this point, the only two children who had ever lived at home with her (Bernard Jnr and Rose (Anne)) were still in and out of prison. Rosanna died aged 76 in Manchester in July 1873.¹⁷

John Montague was born in Oldham, Lancaster and, a weaver like his father, signed into the Royal Artillery at Warrington, Lancaster on 16 March 1838 aged 18.¹⁸ His military service saw him as a gunner from 1839-1855; a bombardier¹⁹ from 1855-1857; a corporal from 1857-1858; and a sergeant from 1858 until his discharge in November

¹² https://en.wikipedia.org/wiki/Chelsea_Pensioner

¹³ The National Archives; Kew, London, England; England and Wales Census 1841, 1851 and 1861

¹⁴ See above Note; GRO reference: 1865 D Quarter in Manchester Volume 08D p217

¹⁵ The National Archives; Kew, London, England; 1871 England Census; Class: RG10; Piece: 4046; Folio: 154; Page: 17; GSU roll: 846336

¹⁶ <https://www.workhouses.org.uk/intro/>;

¹⁷ Philips Park Cemetery Manchester; Manchester City Council; Manchester, England; Manchester Grave Burial Registers

¹⁸ Her Majesty's Royal Regiment of Artillery Depot Brigade, Proceedings of a Regimental Board, 360 Sergeant John Montague, Woolwich, 5 November 1861; see above Note

¹⁹ Bombardier is a military rank that has existed since the 16th century in artillery regiments of various armies, including in the British Army. Traditionally the bombardier tended the vents at the top of breeches, handled the final assembly of ammunition and placed the ammunition in the muzzles for the gunners to fire. It is today equivalent to the rank of corporal in other branches. [https://en.wikipedia.org/wiki/Bombardier_\(rank\)](https://en.wikipedia.org/wiki/Bombardier_(rank))

1861.²⁰ He suffered minor injuries in the trenches in Sevastopol, Crimea in 1855 and afterwards served for two and half years in Canada. His conduct on discharge was noted as 'exemplary' and he received several good conduct badges and medals including a silver medal for long service.²¹

James Montague was purportedly born in the Cape of Good Hope about 1822²² and, on 27 March 1839, was tried and convicted before the Cheshire Quarter Sessions, Knutsford for breaking into a shoe shop and stealing boots. With previous convictions for which he had served time in prison, he was sentenced to 7 years' transportation.²³ His accomplice George Allcroft was transported to Bermuda. A factory boy, 18 and single he was moved to the *Justitia* hulk at Woolwich on 26 April 1839 and later the *Thames* hulk at Deptford.²⁴ A petition by his parents to reduce his sentence was lodged on 31 May 1841 and ultimately refused despite a statement from the prosecutor that his 'parents [were] respectable and judicious people bearing most excellent character for honesty'.²⁵ One wonders then why half the family ended up on the wrong side of the law?

Finally, on 27 July 1842, James embarked the *Triton* which arrived in VDL on 19 December 1842.²⁶ He was convicted of a series of conduct offences in the colony from 1842 to 1847 including absconding, misconduct and larceny but was granted his certificate of freedom 26 October 1847.²⁷ It seems he may have travelled to the Victorian goldfields aboard the *Flying Fish* in December 1852²⁸ but, in any event, he was back in Tasmania less than a year later. [Permission to marry](#) Ann Barnes (*Baretto*

²⁰ Her Majesty's Royal Regiment of Artillery Depot Brigade /Proceedings of a Regimental Board /360 Sergeant John Montague / Woolwich / 5 November 1861; see above Note

²¹ Ibid

²² There are no formal military or state birth records available to confirm this but his CON records and his parents' petition refer to his birth overseas.

²³ LIB TAS: Names Index: CON33/1/33 p141; LIB TAS: Names Index: CON14/1/15 pp231/2

²⁴ LIB TAS: Names Index: CON14/1/15 pp231/2; petition in footnote below; see above Note

²⁵ Petition by James' parents, 22 Wharf St, off Great Ancoats, Manchester, and signed by several others 31 May 1841; notes that James was born while his father was in the army and on foreign service; eldest son John a bombardier now stationed in Canada; prior to this 'most serious misfortune' James had been of 'good disposition'; see above Note

²⁶ LIB TAS: Names Index: CON33/1/33 p141

²⁷ LIB TAS: Names Index: CON33/1/33 p141

²⁸ LIB TAS: Names Index: CSU36/1/2 DI 17

Junior) was refused in August 1853²⁹ yet they married a few months later on 23 November in St Joseph's Catholic Church in Hobart Town.³⁰ Sadly, within a few weeks and while employed as a drayman for a John Walker, James was back before the Supreme Court facing charges of obtaining by false pretences 30 bushels of wheat valued at £20 and other articles from the government stores.³¹ He was convicted and sentenced to a further 7 years' transportation and a probationary period of 2 years and 6 months during which time he absconded on at least three occasions.³² He was last recorded as working for James Scully at Franklin in September 1857.³³

Catherine Montague was born in January 1826 and died in April 1827 aged 16 months at Manchester.³⁴ *Elizabeth Montague* was born in 1828 and, at the age of 13, was convicted of larceny and sentenced to 3 months in prison.³⁵ Quite probably she married Joseph Hibbert in 1845 at Manchester.³⁶

Bernard Montague, a cotton twister, was born in Manchester most likely around 1829³⁷ and joined the 69th Foot Regiment in 1846, aged 17, whereupon he served two

²⁹ LIB TAS: Names Index: CON52/1/6 N 2522; refused on the basis that one of the parties (unspecified and presumably Ann as James had not committed an offence since July 1847) was to serve 6 months from the expiration of the last sentence.

³⁰ LIB TAS: Names Index: RGD37/1/12 N825 DI 315

³¹ LIB TAS: Names Index: CON37/1/8 DI 38; these records, contrary to CON33 & CON14, have his age as 30 and born in Ireland; see also TROVE: Newspapers & Gazettes: The Hobart Guardian or True Friend of Tasmania (Hobart, Tas.: 1847 -1854) Wed 4 Jan 1854 p2 Local Intelligence; TROVE: Newspapers & Gazettes: Colonial Times (Hobart, Tas.: 1828 -1857) Sat 28 Jan 1854 p2 Supreme Court - Criminal Side

³² LIB TAS: Names Index: CON37/1/8 DI 38

³³ *Ibid*

³⁴ <https://www.familysearch.org/ark:/61903/3:1:S3HT-68L4-7NQ?i=757>

³⁵ See above Note

³⁶ See above Note

³⁷ 1851 English census records have him as 31 (est. dob 1820), born in Ireland, single, out pensioner Chelsea Hospital, father Bernard, mother Rose; his age and place of birth here are most probably incorrect and inconsistent with other records as his brother John was born in 1820 and his father Bernard had moved from Ireland before he was 18. The army records of the 69th Foot Regiment are more likely to be correct and have him 17 in 1846 (est. dob 1829); 1861 England census has him 29 (est. dob 1832); West Gordon Prison Register has him 27 in 1863 (est. dob 1836); Salford New Bailey Records and 6th Lancashire Militia records have him 36 in 1866 (est. dob 1830); prison records in Lancashire have him 52 in 1876 (est. dob 1824)

and a half years in the Mediterranean.³⁸ In October 1848 he was court martialled for drunkenness and using threatening language and sentenced to 10 days' imprisonment and solitary confinement.³⁹ He was described as an 'indifferent soldier' and was eventually medically discharged in September 1850 for impaired vision⁴⁰ and paid an 'out pension'⁴¹ until July 1851.⁴² Records suggest he married Mary McNally in June 1851 at Manchester⁴³ and in 1861 he was working as foundry labourer and living in St Barnabas, Manchester with Mary Montague aged 29, a cotton weaver.⁴⁴ However, when he was sentenced to 2 months' hard labour in August 1863 for stealing a hand cart he was recorded as single.⁴⁵ Three years later, in April 1866, at Salford he was charged with failing to appear for military training for which he served another 3 months' imprisonment⁴⁶ and, again, was recorded as living in Manchester and single with no children.⁴⁷ It seems he may have served another term in prison in Lancashire in 1876⁴⁸ and there is a possible death for him a year later, aged 52, in Chorlton, Lancashire.⁴⁹

There are no records confirming *Edward Montague's* birth or death and the only record of his existence is an abbreviated notation as a sibling on Anne's transportation records which, of course, could be an error.⁵⁰ Similarly, there are no records for *Sarah Montague* who is noted as a sibling in both James and Anne's

³⁸ Her Majesty's 69th Regiment of Foot, Proceedings of a Regimental Board, No. 2802 Private Bernard Montague, Malta, 14 May 1850; see above Note

³⁹ Ibid

⁴⁰ Ibid; his medical history involved recurrent ophthalmia farsii since 1847 and treatment for 61 days for syphilis and buboes;

⁴¹ See above footnote 11

⁴² Out Pension records, V. Pensions expired or reduced, Pte Bernard Montague; see above Note

⁴³ <https://www.familysearch.org/ark:/61903/1:1:NJTC-HLN>; findmypast.com.au

⁴⁴ The National Archives; Kew, London, England; England and Wales Census 1861; <https://www.familysearch.org/ark:/61903/1:1:M7XQ-FMW>

⁴⁵ West Gordon General Prison Register 1863, Register No 21244, Bernard Montague

⁴⁶ Salford New Bailey Records, 1866 p 278, Bernard Montague 'being a militia man belonging to the 6th Royal Lancashire Militia did neglect to appear for training at the time & place appointed' and sentenced to '3 cal. months hard labor or pay £5 and c/costs'

⁴⁷ Salford New Bailey Records, 1866 p 278, Bernard Montague

⁴⁸ <https://www.familysearch.org/ark:/61903/1:1:KDG8-H6V>

⁴⁹ <https://www.familysearch.org/ark:/61903/1:1:2JKX-MKK>;

https://www.freebmd.org.uk/cgi/information.pl?scan=1&r=59415349:8703&d=bmd_1653949805;findmypast.com.au

⁵⁰ LIB TAS: Names Index: CON15/1/3 p296

transportation records in 1843 and 1846 respectively.⁵¹ Neither Edward nor Sarah appears in any of the family census records in England from 1841- 1861.⁵²

Manchester and the cotton industry

Anne and most of her siblings grew up in Manchester during the height of the industrial revolution. At the start of the 18th century, Manchester was a small, market town with a population of fewer than 10,000. By the end of the century, it had grown almost tenfold to 89,000, doubling between 1801 and the 1820s and then doubling again by 1851 to 400,000. Manchester's growth into Britain's second city rested largely on the back of the cotton industry and typified Britain as the 'workshop of the world'. Young men and women poured in from the countryside, eager to find work in the new factories and mills.⁵³

In 1840 the cotton industry in Manchester was world famous but life expectancy was just 26. The story of Victorian Manchester is usually one which celebrates industrial expansion, technological advancements and economic growth. But there was a dark side. For ordinary people who worked in the mills and factories, life was hard, poverty was widespread and life expectancy was very short.⁵⁴ Teeming slums and squalid living conditions lead to widespread disease and chronic health conditions, child labour, illiteracy, drinking and prostitution. The state did not provide financial support to the poor but many religious groups, appalled by the living conditions of the working classes, provided a range of welfare services.⁵⁵ Freidrich Engels described mid-19th century Manchester quite simply as as 'Hell upon Earth'.⁵⁶

⁵¹ LIB TAS: Names Index: CON15/1/3 p296; LIB TAS: Names Index: CON14/1/15 p231

⁵² The National Archives; Kew, London, England; England and Wales Census 1841, 1851 and 1861

⁵³ Emma Griffin, *Manchester in the 19th Century: Poverty and the working classes*, 2014

<https://www.bl.uk/romantics-and-victorians/articles/manchester-in-the-19th-century#:~:text=Professor%20Emma%20Griffin%20explains%20how,population%20of%20fewer%20han%2010%2C000.>

⁵⁴ Royal Geographical Society & IBG, *Discovering Britain: Slums, squalor and salvation*, pp4,10
www.discoveringbritain.org

⁵⁵ Ibid

⁵⁶ Emma Griffin, *Manchester in the 19th Century: Poverty and the working classes*, 2014

<https://www.bl.uk/romantics-and-victorians/articles/manchester-in-the-19th-century#:~:text=Professor%20Emma%20Griffin%20explains%20how,population%20of%20fewer%20han%2010%2C000.>

The early years

It seems Anne and most of her family were involved in the cotton industry as weavers, twisters or winders and, as at least four of the children ended up in a life of petty crime, it is reasonable to assume that, in the prevailing social environment, family life was difficult in the extreme.

Anne first crossed swords with the law in May 1840, as Rosannah Montague, when she was convicted before the Salford County Sessions of stealing two dresses and was sentenced to 4 months' imprisonment.⁵⁷ In early 1841 she was living at home with her parents and her brother Bernard. Her occupation was noted as a winder so she was undoubtedly working in a cotton factory.⁵⁸ In October 1844, this time as Ann Smith, she was again convicted before Manchester Sessions of stealing clothing and sentenced to 6 months' imprisonment.⁵⁹ When Anne, again as Ann Smith, ended up before the Salford General Sessions on 1 September 1845 for theft of a shawl and a dress - aged 22, single and with previous convictions for petty theft - she was a prime candidate for the British government's prevailing economic policy of populating the colonies with young women of child bearing age.⁶⁰ Convicted, she was sentenced to transportation for 7 years.⁶¹ Salford Prison register in September 1845 described her as a factory girl who 'admits to having been a thief for about six years'.⁶²

Transportation and beyond

On 19 January 1846 Anne was transferred from Salford Prison to Millbank Prison to await transportation. Millbank Penitentiary had recently become Millbank Prison, a

⁵⁷ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

⁵⁸ The National Archives; Kew, London, England; England and Wales Census 1841; Class: HO107; Piece: 577; Book: 16; Civil Parish: Manchester; County: Lancashire; Enumeration District: 28; Folio: 48; Page: 23; Line: 22; GSU roll: 438729; there is a registered death for a Peter Jester Montague, son of Rosanna Montague buried 13 Aug 1843 aged 3 months and possibly this is Anne. Lancashire Archives; Preston, England; Lancashire Anglican Parish Registers; Reference: DRM 2/177 Death registered as Peter Jester Montague Sep 1843. FreeBMD. England & Wales, Civil Registration Death Index, 1837-1915 [database on-line]. Provo, UT, USA: Ancestry.com Operations Inc, 2006.

⁵⁹ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

⁶⁰ Alexander, Alison, ed., *The Companion to Tasmanian History*, Snowden, Dianne, "Female Convicts" (2005), Centre for Tasmanian Historical Studies, University of Tasmania.

⁶¹ LIB TAS: Names Index: CON 41/1/9 DI 134

⁶² Salford Prison register; see above Note

national prison serving as a depot for all convicts under sentence of transportation.⁶³ On arrival at the prison all convicts were personally examined along with their accompanying documentation. The inspectors would recommend disposal 'with reference to age, crime, sentence, and previous convictions of each prisoner, as in accordance with the general principles of the system of convict discipline which has been established by Lord Stanley in the penal colonies'.⁶⁴ This included disposal of the convicts to Norfolk Island, Van Diemen's Land or Bermuda. Alternatively, if determined to be 'a fit subject for reformatory experiment in this country', they could be sent to Pentonville and Parkhurst prisons.⁶⁵

Millbank Prison was conveniently located adjacent to the River Thames at Westminster, where the convicts would be escorted through underground tunnels and placed on a ferry to be transferred the short distance downstream to where a convict transport ship waited adjacent to the Royal Arsenal at Woolwich. The embarkation process took several days as more convicts arrived from county gaols until the ship finally had its full load of passengers.

On 27 January 1846 the [Emma Eugenia](#), with 170 female convicts onboard, departed Woolwich in squally conditions. The ship stopped for supplies at Portsmouth, England on 10-11 February 1846 before departing on its fourth voyage to VDL arriving in Hobart four months later on 5 June.⁶⁶

John Wilson, the [ship's Surgeon](#) described the journey (in part) as follows:

many of the women were aged, infirm, and apparently unable to undergo the wear and tear of so long a voyage. It afterwards appeared that not a few had broken constitutions owing to long confined dissipation and every sort of irregularity. It was also intimated that some of the children had a sickly appearance, that three were sent on board labouring under diarrhoea, two of them in a dying state, one of whom expired between the Downs and Portsmouth...⁶⁷

⁶³ [Hampshire/Portsmouth Telegraph](#) Sept. 6, 1845

⁶⁴ [Jackson's Oxford Journal](#), Nov. 8, 1845

⁶⁵ [Hampshire/Portsmouth Telegraph](#) (Leeds, England) Issue: 2396 Sept. 6, 1845

⁶⁶ <https://convictrecords.com.au/ships/emma-eugenia/1846>

⁶⁷ https://www.femaleconvicts.org.au/docs2/ships/SurgeonsJournal_EmmaEugenia1846.pdf

Anne arrived in VDL when the [probation system](#) was in full flight and, after completing her mandatory period of six months' probation,⁶⁸ was working with a Mr Donnelly when, in February 1847, she was reported for misconduct and sentenced to 2 months' hard labour in the [Cascades Female Factory](#) in Hobart.⁶⁹ In June 1848, while in the employ of F. DeSailly, being absent without leave cost her 3 months' hard labour at the factory.⁷⁰ In November 1849 she was granted a [ticket of leave](#) and in June 1850, while still under the ticket of leave, she earned herself another months' hard labour in the factory for, again, being absent without leave.⁷¹ However, in reality, her conduct offences were few and minor. She was granted a [conditional pardon](#) in February 1852 and was [free by servitude](#) on 1 September 1852.⁷²

It seems that in July 1852 Anne travelled from Launceston to Melbourne on the *Waratah* representing herself as already free by servitude and most probably in the company of John Harper.⁷³

Old habits die hard

There is no record of Anne travelling on from Melbourne to England but, in November 1854 as Rosannah Harper, she appeared before the Manchester Sessions and was convicted of breaking into the dwelling house of Sarah Waterworth and stealing various articles of clothing valued at £4. She was sentenced to 6 years' imprisonment.⁷⁴ The escapade which enlisted the assistance of an unsuspecting locksmith was somewhat enterprising and earned her significant commentary in the

⁶⁸ LIB TAS: Names Index: CON 41/1/9 DI 134

⁶⁹ Ibid

⁷⁰ Ibid

⁷¹ Ibid

⁷² Ibid

⁷³ LIB TAS: Names Index: POL220/1/2 p74; this record also noted her ship to the colony as *Emma Eugenia* (3) which for Anne is incorrect and most probably a recording error. The only Ann Smith that arrived in VDL on the *Emma Eugenia* (3) in 1844 was born in England and was under a 15 year sentence meaning she would not have been free by servitude until about 1858. Furthermore, Anne's entry below that of John Harper (*Lord Lyndoch*) connects her to the man with whom she later lived in England.

⁷⁴ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887; *Chester Chronicle*, 11 November 1854; "Local and District News." *Leed's Times*, 11 Nov. 1854, p. 5. British Library Newspapers, link.gale.com/apps/doc/IG3219624704/BNCN?u=61sltas&sid=bookmark-BNCN&xid=24a607c1.

local press.⁷⁵ Parole records described her as 'Rosannah Harper alias Rosannah Montague, Ann Smith, 31, married, housekeeper and next of kin John Harper 76 Arch, Bedford St, Ardwick, Manchester.'⁷⁶ There are no records indicating she ever actually married Harper either before or after they returned to England.⁷⁷ Anne spent the next six years in three different gaols - Manchester Gaol until March 1855 whereupon she was moved to Millbank Prison until February 1856 and, finally, Brixton Prison until her release in November 1860.⁷⁸

With Harper off the scene, it appears Anne (Rose A) moved back into the family home at 65 Poland St, New Cross, Manchester with her parents and in the 1861 census was recorded as 'unmarried, 37 and a part time cotton winder'.⁷⁹ Yet, clearly, prison life was no deterrent for Anne. In January and June of 1862 she was back before Manchester Sessions convicted of stealing clothing and a counterpane and sentenced to 3 months and 4 months' imprisonment respectively.⁸⁰

In November 1862, barely a month after her release, this time as Jane Wilson, she was committed to trial for stealing clothing from Fanny Maughan and, in January 1863 before Manchester General Quarter Sessions, was convicted and sentenced to 4 years' imprisonment with no remission of sentence.⁸¹ The parole records this time described her as 'Jane Wilson alias Rosannah Montague, Rosannah Harper, Ann Smith, 39, married, one child,⁸² housekeeper and next of kin brother Bernard

⁷⁵ *Chester Chronicle*, 11 November 1854

⁷⁶ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

⁷⁷ Familysearch.org; freebmd.org.uk; LIB TAS: Names Index

⁷⁸ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

⁷⁹ The National Archives; Kew, London, England; England and Wales Census 1861; Class: RG 9; Piece: 2927; Folio: 120; Page: 12; GSU roll: 543051

⁸⁰ *Ibid*

⁸¹ UK, Licences of Parole for Female Convicts, 1853-1871, 1883-1887;

⁸² Whether Anne already had a child in January 1863 when she went back to prison is speculative.

There is no reference to her having a child either in the prison records of 1854 or in the census records for April 1861 when she is living with her parents. This means she may have given birth between 1861 and her next visit to prison in January 1863 but there do not appear to be any matching records for the period under Montague but many possibilities under the name Wilson. freeBMD.org.uk; findmypast.com; familysearch.org; There is also some inconsistency regarding her marital status which goes from married in 1854 to unmarried in 1861 and back to married in 1863.

Montague, Jackson St, London Rd, Manchester.⁸³ Whether or not they ever married, obviously John Harper had moved on at this point, possibly tired of waiting for Anne to get out of gaol or himself incarcerated somewhere. Anne was in Manchester Gaol until July 1864 and then Millbank Prison for four months before being transferred to Parkhurst Prison where she remained until her release in April 1866.⁸⁴ During her time in prison she worked as a picker and needle knitter and her general character was described as 'good'.⁸⁵ So, was life in prison easier than on the street?

Who was John Harper?

The first record of Anne and John's connection is their trip together from Launceston to Melbourne in 1852.⁸⁶ There is no record of them returning to England but it would seem, at the very least, they were in a de facto relationship in 1854 when Anne was marched off to Manchester Gaol citing him as her next of kin. In 1854 John Harper was listed as renting a property at 76 Arch, Bedford St, Ardwick owned by London & North West Railway Co. He was still listed as a tenant in the same property in 1855 even though the property was noted as 'empty pulled down'.⁸⁷ There appears to be no record of his whereabouts after that time aside from a possible death at Banbury in 1892 aged 76.⁸⁸

John Harper was born in 1816 at Banbury, Northamptonshire and, on 30 June 1835, was convicted before the York West Riding Quarter Sessions of stealing a purse and ten sovereigns from the house of a Mr Chamberlain. A footman and groom, and without any previous convictions, he was sentenced to 7 years' transportation and arrived in Hobart aboard the *Lord Lyndoch* (2) on 20 August 1836.⁸⁹ He left a wife Elizabeth at home in Banbury and his gaol report described him as 'idle, drunken, dissipated, bad disposition ... seems to have given himself entirely to thieving...'.⁹⁰

⁸³ Ibid

⁸⁴ Ibid

⁸⁵ Ibid

⁸⁶ LIB TAS: Names Index: POL220/1/2 p74

⁸⁷ Manchester Rate Books 1854, p19; 1855 p19; see above Note

⁸⁸ https://www.freebmd.org.uk/cgi/information.pl?scan=1&r=89131579:5420&d=bmd_1653949805;findmypast.com.au

⁸⁹ LIB TAS: Names Index: CON31/1/21 p386 DI 170; CON34/1/6 p264 DI269

⁹⁰ Ibid

In the colony he committed a number of minor conduct offences from 1837-1840. However, in August 1842, two months after receiving his [certificate of freedom](#),⁹¹ he was charged with stealing five silk dresses and a large quantity of other items from the store of a Mr McPherson in Hobart.⁹² He was ultimately found not guilty on the stealing charge but convicted of receiving stolen goods and again [transported](#) for 7 years with 4 years to be served at Port Arthur.⁹³

Harper was granted a ticket of leave in January 1847 and, a little more than a year later, returned to the Supreme Court facing charges of burglarising a jeweller's shop and stealing jewellery for which he was convicted and sentenced to a further 14 years' transportation with 3 years to be served at Port Arthur.⁹⁴

Even though the [1823 regulations](#) required additional sentences of transportation to be computed from the expiry of the original sentence,⁹⁵ there seemed to be a degree of confusion and inconsistency about the operation of the regulations and, in practice, additional terms of transportation were often served concurrently.⁹⁶ With two subsequent terms of transportation for 7 and 14 years added his original term of 7 years, this might explain how Harper managed to board a ship for Victoria in 1852,⁹⁷ citing himself as [free by servitude](#)!

The end of the story

When Anne was released from Parkhurst Prison in 1866, this appears to be the last public record of her existence. Did she ever marry John Harper? Did she really have a child between 1854 and 1863? If she was working as a housekeeper, then for whom? Did she ever return to prison?

⁹¹ TROVE: Newspapers & Gazettes: Colonial Times (Hobart, Tas.: 1828 -1857) Tue 7 Jun 1842 p4 The Gazette

⁹² TROVE: Newspapers & Gazettes: The Courier (Hobart, Tas.: 1840 -1859) Fri 19 Aug 1842 p2 Hobart Town Police

⁹³ LIB TAS: Names Index: CON31/1/21 p386 DI 170

⁹⁴ LIB TAS: Names Index: CON34/1/6 p264 DI269; TROVE: Newspapers & Gazettes: Colonial Times (Hobart, Tas.: 1828 -1857) Tue 6 Jun 1848 p3 Supreme Court – Criminal Side

⁹⁵ <https://www.femaleconvicts.org.au/administration/freedoms>

⁹⁶ Ibid

⁹⁷ While there were several convicts who came to VDL under the name John Harper, only one came on the *Lord Lyndoch* and more information on this convict can be found on the FCRC database under research notes.

Bernard seemed to be the only sibling with whom she had any contact after returning from Australia and, after all, they did have prison life in common. Anne's father died in 1865 while she was still in prison; her mother was probably admitted to a workhouse hospital soon thereafter; John was in the army until 1861; James was still in Tasmania in 1857; Catherine died in infancy; Eliza married in 1845 and there are no records of either Edward or Sarah. But when Anne came out of prison in April 1866 Bernard was himself incarcerated. Where did she go? Bernard was back in prison ten years later. Was Anne also? Did she ever cross paths with her brother James while they were both in VDL?⁹⁸ Why did she return to England?

There are many more questions than answers as to where Anne's journey ended. Her life started as the eldest daughter of a military officer on the African continent and, as a two year old, returning to England at the height of the industrial revolution. Life was unquestionably difficult for working class families with rampant levels of poverty, appalling living conditions and resultant crime. As a teenager Anne found herself working in a cotton factory and embroiled in a life of petty crime doubtless to fuel her survival. Sadly, upon her return to England, after fifteen years in a penal colony half way around the world, little had changed and her life involved more time in prison than out. Where and how did Anne spend her last days?

⁹⁸ There were windows of opportunity between Anne's arrival in VDL in 1846, James' certificate of freedom in 1847 and Anne getting a ticket of leave in 1849 and her leaving VDL in 1852.